

1996 LAWSUIT ACTION ITE

Updated July 11, 1996

Action	Deadline	Status
1. Defendants will mail letters about the 1 year dental check-up 2 months before the check-up is due. #17	To be Implemented no later than January, 1996	Letters started March 96
2. BCHD local lab (p.42) #136	1/96	Region 8 program manager discussed the elimination of barriers that prevent public providers from serving EPSDT recipients with all relevant parties. The issue was brought to the attention of Mr. Richard Rodriguez with University Health System in BCHD. This issue is a local one which the Health Department has acted as a facilitator, but may not be able to resolve the problem. There is ever reason to believe the issues can be resolved locally. TDH has done all it can to resolve this issue.
3. The tracking system for progress towards completion of all immunizations will be in place and running #91.	By January, 1996	ImmTrac in place
4. Defendants will conduct an initiative to encourage all Family Planning agencies that serve Medicaid recipients to enroll as EPSDT Medical check-up providers. #139	By January, 1996	An article placed in June/July Texas Medicaid Bulletin
5. Defendants will conduct Outreach to families with EPSDT recipients infants. (BBTD) #148	Beginning January, 1996	BBTD outreach has begun in regions 8 and 6. Statewide letters are being sent to all 10-month all infants
6. Defendants will measure the percent of EPSDT recipients who receive medical check-ups. #277	Beginning in 1996/each year	Included in RFP with UTSA
7. Defendants will identify the counties or county clusters that lag behind the state average for medical check-ups. #280	Beginning in 1996/each year	Completed in Statewideness Analysis
8. Defendants will report EPSDT participation statistics to the Federal Government on the HCFA form 416. #283	Every year from 1996-1999 Defendants will also report to Plaintiffs the number and percent of recipients who receive all of their scheduled medical check-ups. (Def. will provide these reports to the plaintiffs no later than Dec. 31, of each year).	
9. Defendants will convene a panel of experts in child and adolescent mental health to evaluate the currently existing screening tool for EPSDT medical check-ups.(eval to be completed by 4/15/96 and any needed changes implemented by 9/1/96).. #115	By January 15, 1996	A panel was convened to evaluate the current EPSDT mental health screening tool
10. Defendants will develop corrective action plans to improve the results for each health outcome indicator developed to serve as a proxy to measure whether recipients receive the full range of services that they need. These CAPs will be presented for Plaintiffs review and comment by 1/30/each year #296	By January 30, each year	
11. Defendants will implement an initiative to effectively inform Pharmacists about EPSDT #129	By January 31, 1996	Articles were published in the informing pharmacists about EPSDT
12. Parties will complete a case management plan for the EPSDT program. #264	By January 31, 1996	A draft conceptual paper for case management was developed
13. Defendants will arrange for a study to assess the dental health of the EPSDT population #172	By March 1996	First study proposal rejected by plaintiff. New RFP dental study with UTSA

EXHIBIT

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***Dates subject to change per agreement by both parties.**

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1995 LAWSUIT ACTION ITEMS

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Action	Deadline	Status
1. Develop IFB #71	2/28/95	COMPLETE
2. Present Deadline Chart to Court #280	3/30/95*	COMPLETE
3. Agree to Reasonable Revisions to Deadlines #280/305	3/30/95	COMPLETE
4. Agree on Content of Informing Text for Eligibility Workers #22	3/31/95	A informing script was designed and given to all DHS eligibility workers
5. Identify all Dentists who Provide Services to EPSDT Recipients but Provide No/Few Sealants #161	4/30/95	A list of dentist was generated
6. Determine Which Medical Family Planning Agencies Are Not Enrolled to Provide EPSDT Medical Check-ups #139	5/95	A list of non-EPSDT medical family planning agencies was compiled
7. Complete List of Relevant Professional Schools in Texas Not Enrolled as EPSDT Providers #102	5/30/95	A list of all relevant professional schools not enrolled as EPSDT providers was compiled
8. Field Test 2 Proposed Medicaid ID Cards #18	5/31/95	Field tested one medical ID card
9. TDH Dental Director will Write to Each Identified Dentist About Sealants #161	5/31/95	A letter written by the Dental director was sent to all dentists identified in #5
10. If New Medicaid ID Card Design Unacceptable, Another Revision will be Available for Field Testing #18	7/21/95	Medical ID Card design acceptable, another revision was not needed
11. Train Transportation Staff to Respond Appropriately to Urgent Requests/Rescheduling #230	7/30/95	Training provided to all MTP staff, current and new hire
12. Final Draft of Letter, Poster and Proposed Consent Decree To Plaintiff	no later than 7/31/95	Draft of packet mailed to plaintiffs' attorney
13. Maintain A List of Recipients No Medical Check-Up Bill Received No More Than 60 Days After Check-up Due #41	8/95	Computer generated list maintained. List provided to each region
14. Plaintiff's Approval /Rejection of Letter, Poster and Proposed Consent Decree	8/7/95	COMPLETE
15. Revisions to Letter, Poster and Proposed Consent Decree Provided to Plaintiff	8/14/95	Revisions requested by plaintiffs' attorney made to packet
16. Plaintiff's Reply to Revisions	8/21/95	COMPLETE
17. MOU Between TDH and TDHS Concerning Outreach Process for Plaintiff's Approval #24	by 8/31/95	MOU developed and signed
18. MOU Between TDH, TDHS and DPRS RE: Handbook Information for Plaintiff's Approval #69	by 8/31/95	MOU developed and signed
19. MOU Between TDH and DPRS RE: Recipients Under DPRS for plaintiff's approval #212	by 8/31/95	MOU developed and signed
20. Outreach Unit Training #62	before 9/1/95	Training provided to all current and new hire outreach workers
21. Outreach Units Established by Contract or TDH Staff #26	before 9/1/95	Outreach units in place established by contract or TDH staff
22. Inform Providers About Mileage Reimbursement #236	9/95	Letter sent to providers with contract informing of mileage reimbursement
23. RFP Changes	9/95	Changes to RFP complete
24. New Names for Checkups/Scans #15	9/95	Staff informed to use new terminology
25. Improved Reminder Letters (p. 9-10) #17	9/95	New design to include age appropriate information

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		New brochure with age appropriate material also included in IFB marketing campaign
27. TDHS Eligibility Workers Provide Brochure/Wallet Card #21	9/95	DHS eligibility workers provided EPSDT brochure and wallet card with periodicity schedule to provide to clients
28. TDHS Assist Recipients to Ask for More Outreach #23	9/95	Extra effort referral form developed for DHS eligibility workers to refer clients to TDH for additional outreach
29. Coordinate w/other agencies #65	9/95	Included in letter written by commissioner and also in MOUs.
30. MOU Between TDH and TDHS RE:Outreach Process Presented to Court #24	by 9/1/95	MOU developed and signed
31. MOU Between TDH, TDHS and DPRS RE:Handbook Information presented to Court #69	by 9/1/95	MOU developed and signed
32. MOU Between TDH and DPRS RE:Recipients Under DPRS Presented to Court #212	by 9/1/95	MOU developed and signed
33. Improve Mileage Reimbursement Process #234	9/1/95	Expanded MTP travel advance. Clients have three choices-pick-up money directly, have money mailed to home by regular mail or overnight mail
34. All Outreach Units Will Begin to Provide Outreach Services #29	9/1/95	Outreach was being provided in all regions by 9-1-95
35. Outreach Units Provide Outreach to Recipients Requesting Information About EPSDT Beyond that Provided by TDHS Eligibility Workers #34	9/1/95	Clients identified with the extra effort referral from TDHS are provided additional information
36. Outreach Units Provide Oral Outreach to Recipients Who Miss Medical Check-up Due on/After 7/1/95 #35	9/1/95	Clients identified on over dues list are provided oral outreach
37. Commissioner of Health Write to Commissioners of Other Agencies RE:Including Appropriate EPSDT Info in Handbooks #71	9/1/95	Commissioner of Health wrote letter to commissioners re: inclusion of EPSDT information in handbooks
38. Explain to Providers How to Contact Outreach Units. Outreach Units Respond to Providers Requests for Assistance to Encourage Recipients to Receive Services #96	9/1/95	A news announcement in NHIC provider bulletin
39. Mileage Reimbursement Rate Same as Rate for State Employees #232	9/1/95	Mileage reimbursement rate increased to the same rate as state employees
40. Re-Evaluate the Use and Operation of Toll-Free Numbers to Improve Scheduling Assistance #242	9/1/95	The use and operation of toll free numbers were reevaluated. Central office teams went to each region to evaluate current capabilities and determine additional needs to support EPSDT and medical transportation.
41. Develop List of Health Outcome Indicators/Agree On Target Goal for Each Indicator #293	9/1/95	A list of 11 outcomes measures was compiled
42. Letter packets received by TDHS and TDH Offices	no earlier than 9/6/95 no later than 9/20/95	Consent decree packets were mailed to DHS, TDH, legal aid, attorney general, etc. offices as directed by plaintiffs' attorney
43. Delete/Change Program's Name #15	9/30/95	The program name is now Texas Health Steps (THSteps)
44. Eliminate Age Restriction on Sealants #160	9/30/95	The age restriction on sealants has been eliminated
45. Finalize Policies/Rules for Dental Audits #167	9/30/95	Polices/protocols for dental audits established/implemented

46. Establish New Transportation Regulations Finalized #238	7/30/95	Board of Health approved rules regarding reasonable transportation
47. Develop Statistically Valid Method to Determine Counties/County Cluster Lag in Percent of Recipients Receive Medical/Dental Check-ups #278	9/30/95	A statistically valid method was developed to identify counties that lag behind in the percent of recipients who receive medical/dental check-ups
48. Improvements to Dental Audits #167	9/30/95	Policies and procedures developed
49. Notice to class-stuffer (English/Spanish)	10/95	An insert was included in the October medical ID forms, was mailed to all Medicaid recipients. The stuffer was in English and Spanish.
50. New Dental Provider Participation Reports #165	beginning no later than 10/31/95	Requested information from NHIC
51. Complete Innovative Efforts to Recruit All Relevant Professional Schools Become EPSDT Providers #102	10/31/95	Contact with nursing schools and letters to family practice and pediatric residency programs
52. Agree on Method to Implement Improvements to Administration of Mileage Reimbursement Program #235	by 10/31/95	Three options available to clients to collect or be reimbursed for mileage: pick up money directly from MTP advance contractor, have mailed to their home by overnight mail or regular mail
53. Reports from Outreach Units Due #60	11/1/95	Outreach units collected information requested for reports
54. New medical ID Card in use if Tests OK (p. 12)	11/95	Proposed implementation date Nov. 96
55. Plaintiff's Decision RE: Method Determining Counties Lagging in Providing EPSDT Services #278 (SEE #47)	11/15/95	COMPLETE
56. Simplified form For EPSDT Medical Check-Ups HCFA 1500 #90	no later than 12-31-95	A simplified form was designed and implemented for billing EPSDT check-ups.
57. Begin outreach to migrant farm workers in lower Rio Grande Valley	begin in 1995	outreach begun in region 11, 1, and 9/10

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22. Training about new issues #117		
23. Training about recipients lives/ al sensitivity #118		
24. Training for nurses #121-123		Training for nurses and Pas to conduct EPSDT check-ups is being provided
25. Training Scholarships #131		Training scholarships are available for nurses to attend EPSDT training
26. Develop systems to work w/family planning agencies Develop networks of providers willing to accept EPSDT referrals for specialty care #136		
27. Regional staff assess public providers' training needs/facilitate receipt of training and facilitate training about EPSDT #137		
28. Efforts to enroll non-enrolled public providers #140		
29. Recruit ISDs to do check-ups, coordinate other services, emphasis on services to pregnant teens #142		
30. Cooperate w/Head Start programs #142		
30. Dentists provide no sealants receive further targeted outreach unless specialty indicates would not provide service. #161		
31. If pharmacists' understanding re:EPSDT is unacceptable, defendants will conduct an initiative to orally inform pharmacists about EPSDT's coverage #130		

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1997 LAWSUIT ACTION ITEMS

Updated July 11, 1996

Action	Deadline	Status
1. Conduct 2 analyses. Measure percent of EPSDT recipients who receive check-ups and 2 dental check-ups/yr in each county or c county cluster #275	Beginning 1997/each year	
2. Identify counties/county clusters lag behind in state average for medical and dental check-ups #278	Beginning 1997/each year	
3. Defendants will develop corrective action plans to improve the results for each health outcome indicator developed to serve as a proxy to measure whether recipients receive the full range of services that they need. These CAPs will be presented for Plaintiffs review and comment by 1/30/each year #296	By January 30, 1997/ each year	
4. Conduct annual assessments of effectiveness of transportation program/corrective action plans first one completed	By March 1997/each year	
5. Defendants complete a statewideness analysis of counties or county clusters that lag behind in the percent of recipients who receive medical or dental check-ups #280	By March 30, 1997/each year	
6. Maintain list of recipients for whom no dental check-up bill has been received no more than 60 days after the check-up was due #41	Beginning May 1997	
7. Outreach units provide oral outreach to all recipients who miss a dental check-up due on or after 4/1/97 #37	Beginning June 1997	
8. Oral outreach for missed dental check-ups continue in tandem with oral outreach upon request and for missed medical check-ups #39	Beginning June 1997	
9. Implement a method to index the reimbursement rate for medical check-ups in non-managed care areas #99	9/1/97	
10. Defendants will report the best available information on each health indicator annually #295	September 1, 1997/each year	
11. Defendants will prepare a report of the number and percent of recipients who receive 1 and 2 dental check-ups/year #171	By September 30, 1997/each year	
12. Defendants will provide all reports regarding EPSDT participation to the plaintiffs no later than 12/31 of each year. #284	By December 31, 1997 each year	
13. Defendants will report EPSDT participation statistics to the Federal Government on the HCFA form 416. #283	December 31, 1997 Every year from 1996-1999	
14. Defendants will provide all reports regarding EPSDT participation to plaintiffs #284	By December 31, 1997 each year	

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5. Defendants complete a statewide analysis of counties or county clusters that lag behind in the percent of recipients who receive medical or dental check-ups #280	By March 30, 1999	
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8. Defendants will prepare a report of the number and percent of recipients who receive 1 and 2 dental check-ups/year #171	By September 30, 1999	
9. Defendants will provide all reports regarding EPSDT participation to the plaintiffs no later than 12/31 of each year. #284	By December 31, 1999	
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